

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

	)	
Highfields Capital Ltd., Highfields Capital I LP,	)	
Highfields Capital II LP,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 04-10624 MLW
	)	
SCOR, S.A.,	)	
	)	
Defendant.	)	
	)	

**ASSENTED-TO MOTION TO FILE REPLY MEMORANDUM IN SUPPORT OF  
PLAINTIFF'S MOTION TO AFFIRM SUBJECT MATTER JURISDICTION OR,  
IN THE ALTERNATIVE, TO REFER CASE TO STATE COURT**

Plaintiffs Highfields Capital Ltd., Highfields Capital I LP, and Highfields Capital II LP (collectively, “Plaintiffs”) hereby request pursuant to Local Rule 7.1(B)(3) that they be permitted to submit the accompanying Reply Memorandum in support of their Motion to Affirm Subject Matter Jurisdiction, or in the Alternative, to Refer Case to State Court, attached as Exhibit A. As grounds for this motion, Plaintiffs state that (1) this memorandum responds to issues of law and fact raised in Defendant SCOR’s opposition, which necessitate a response; (2) Plaintiffs believe that this memorandum will help the Court resolve complex legal and factual issues relating to subject matter jurisdiction, issues which are extremely important and deserving of a detailed inquiry; and (3) counsel for Defendant SCOR has assented to this motion.

FOLEY HOAG LLP

/s/ Ian J. McLoughlin

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Attorneys for Plaintiffs

May 12, 2006

**CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 7.1**

I, Kenneth S. Leonetti, certify that on May 12, 2006, I conferred with opposing counsel, James H. Carter, by telephone, to inquire whether the Defendant would assent to the granting of leave to file a reply brief. Mr. Carter stated that Defendant would assent to the foregoing motion.

/s/ Kenneth S. Leonetti

Kenneth L. Leonetti, BBO # 629515

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of May, 2006, a true copy of the above document was served by facsimile and first class United States mail upon Douglas H. Meal, the attorney of record for Defendant at Ropes & Gray LLP, One International Place, Boston, MA 02110-2624.

/s/ Ian J. McLoughlin

Ian J. McLoughlin, BBO # 647203